

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS1-A. Delegation to Regional Judicial Officer1. AUTHORITY:

- a. To perform all duties of a Presiding Officer in proceedings subject to 40 C.F.R. Part 22, Subpart I.
- b. To perform all duties of a Presiding Officer until the respondent files an answer in any proceeding under 40 C.F.R. Part 22 to which Subpart I does not apply.
- c. To issue quick resolution final orders in cases where no answer has been filed pursuant to 40 C.F.R. § 22.18(a)(3).
- d. To issue final orders ratifying settlements pursuant to 40 C.F.R. §§ 22.13(b) and 22.18(b)(3).

2. TO WHOM DELEGATED:

- a. Authorities 1.a through 1.d, above, are delegated by the Regional Administrator to the Regional Judicial Officer, Office of Regional Counsel, EPA Region 5.

3. LIMITATIONS.

- a. The authority is to be exercised within the territorial limits of Region 5.
- b. This delegation does not preclude the Regional Judicial Officer from referring any motion or case to the Regional Administrator when such referral is appropriate, pursuant to 40 C.F.R. § 22.4(b).
- c. The authority is to be exercised consistently with the powers and duties prescribed in or delegated in the Act authorizing the institution of the proceedings at issue and 40 C.F.R. Part 22.
- d. The authority to designate a Regional Judicial Officer is limited by the restrictions in 40 C.F.R. § 22.4(b).
- e. The authority to act as deciding official in a contested or default Class I administrative penalty action under the CWA, and assess a penalty in such a proceeding, is limited by Regional Delegation 2-51 and can only be redelegated on a case-by-case basis.

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS4. REDELEGATION AUTHORITY.

- a. Authorities 1.a. through 1.d. may not be redelegated.
- b. An official who delegates an authority retains the right to exercise or withdraw the authority. Delegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.